

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

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Melissa Lavee Smith,

Plaintiff,

vs.

Nancy A. Berryhill, Acting Commissioner
of Social Security Administration,

Defendant.

Civil Action No. 5:15-4195-RMG

ORDER

This matter comes before the Court on Plaintiff's motion for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Dkt. No. 19). The parties have jointly stipulated to an award of \$3,700.00 in attorney's fees. (Dkt. No. 23).

The Court has reviewed the proposed stipulation, as well as the supporting underlying documentation, and finds that the total fee is reasonable and authorized under applicable law. *Barber v. Kimbrell's, Inc.* 577 F.2d 216 (4th Cir. 1978); Local Rule 54.02 (D.S.C.). Therefore, the Court hereby grants an EAJA award to Plaintiff in the amount of \$3,700.00 in attorney's fees. This award is subject to the Treasury Offset Program, 31 U.S.C. § 3716(c)(1)(B). In the event Plaintiff has no present debt subject to offset and Plaintiff has executed a proper assignment to her counsel, Defendant is directed to make the payment due herein to Plaintiff's counsel. If Plaintiff has no present debt subject to offset and no proper assignment has been made by Plaintiff to her counsel, Defendant is directed to make the check due pursuant to this Order payable to Plaintiff and to deliver the check to Plaintiff's counsel.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

April 20, 2017
Charleston, South Carolina